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September 29, 2004

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Art Unit 2877

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 10/750,986; Filed: January 5, 2004

Transmission Shear Grating In Checkerboard Configuration For

EUV Wavefront Sensor

Inventor:

Sherman K. POULTNEY

Our Ref:

1857.1580001/DJF/GSB

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Information Disclosure Statement;
- 2. Form PTO-1449 listing six (6) documents;
- 3. Copies of two (2) of the cited documents as listed on Form PTO-1449; and
- 4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents September 29, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmesser Attorney for Applicant Registration No. 44,020

DJF/GSB:krh Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sherman K. POULTNEY

Appl. No.: 10/750,986

Filed: January 5, 2004

For: Transmission Shear Grating In **Checkerboard Configuration For**

EUV Wavefront Sensor

Confirmation No.: 5464

Art Unit: 2877

Examiner: To Be Assigned

Atty. Docket: 1857.1580001/DJF/GSB

Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

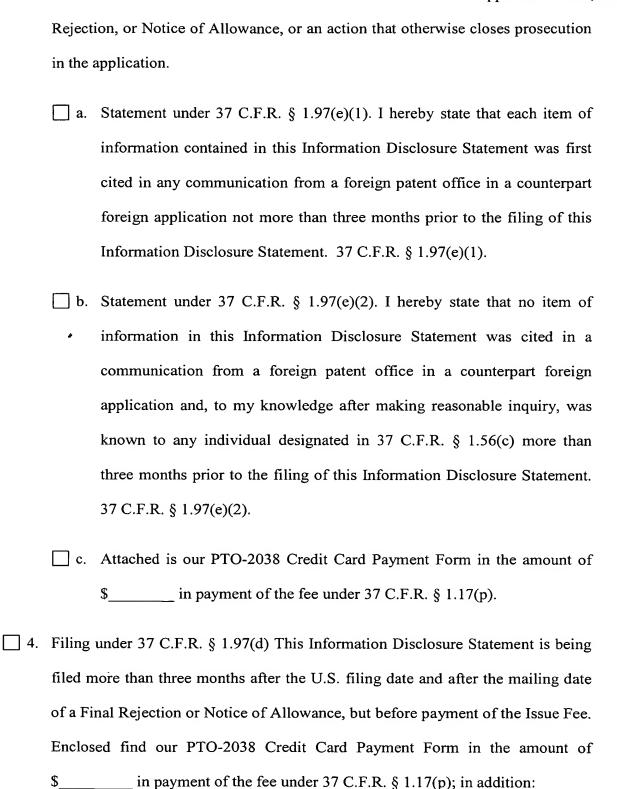
Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final



a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2). 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. 6. A concise explanation of the relevance of the non-English language document(s) appears below: ∑ 7. Copies of the documents are submitted herewith. 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. , filed

Sherman K. POULTNEY Appl. No. 10/750,986

- 5 -

, which is relied upon for an earlier filing date under 35 U.S.C.

§ 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

2 9. No copies of U.S. patents and patent application publications cited on the

attached Form PTO-1449 are submitted in accordance with 1276 OG 55 because

this application was filed after June 30, 2003.

10. It is expected that the examiner will review the prosecution and cited art in the

parent application no. 60/440,050 in accordance with MPEP 2001.06(b), and

indicate in the next communication from the office that the art cited in the earlier

prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the

enclosed PTO-1449, and indicate in the official file wrapper of this patent application

that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee

deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSIER, GOLDSTEIN & FOX P.L.L.C.

George S. Bardmesser

Attorney for Applicant

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SEP 2 9 7004 BORM PTO-1449					Page 1 of 1 ATTY. DOCKET NO. APPLICATION NO. 1857.1580001/DJF/GSB 10/750,986			Page 1 of 1
SEP Z	` 8	ORM F	PTO-1449		FIRST NAMED INVENTOR Sherman K. Poultney		<u> </u>	
INFORMATION DISCLOSURE STATEMENT					FILING DATE ART UNIT January 5, 2004 2877			
- CHA				U.S. F	PATENT DOCUMENTS			
EXAMINER		DOC	UMENT NUMBER					T
INITIAL	AA1	US	2002-0122162 A1	9/2002	NAME Nakauchi <i>et al.</i>	355	SUB-CLASS 52	FILING DATE
	AB1	US	2001-0028462 A1	10/2001	Ichihara et al.	356	512	
-	AC1	5,71	5,039	2/1998	Fukuda et al.	355	53	
	AD1	5,42	24,552	6/1995	Tsuji et al.	250	548	
	AE1							
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	Al1							
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				FOREIG	N PATENT DOCUMENTS			
EXAMINER		DOC	UMENT NUMBER					1
INITIAL		EP 1 231 514 A1		8/2002	COUNTRY EP	CLASS	SUB-CLASS	TRANSLATION
	AL1	EP	1 231 314 A1	0/2002	EP	G03F	7/20	Ye
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	AM1							<u> </u>
	AN1							Ye
	AO1							Ye
	AP1							Ye
			OTHER (Inc	ludina Au	thor, Title, Date, Pertinent Pa	ages. etc.)		1
	AR	1	Copy of the Se 2004.	earch Repe	ort for Singapore Application	n No. 20040	0111-1, issue	d on June 5,
	AS	1						

EXAMINER DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.